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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/542,392	04/04/2000	Fazal Sved Raheman		6230

7590 10/30/2002

Baker Botts LLP
2001 Ross Avenue
Dallas, TX 75201-2980

EXAMINER

BAYERL, RAYMOND J

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 10/30/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/542,392

Applicant(s)

Raheman

Examiner

RBayer1

Group Art Unit

2173

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Response

A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a response be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☒ Responsive to communication(s) filed on 5 June 2008
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 21-248 is/are pending in the application.
- Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☐ Claim(s) _____ is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☒ Claim(s) 21-248 are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
- ☐ received in Application No. (Series Code/Serial Number) _____.
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☐ Interview Summary, PTO-413
- ☐ Notice of References Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other _____

Office Action Summary

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DETAILED ACTION

Election/Restriction

1. This application contains claims directed to the following patentably distinct species of the claimed invention:

I--A graphical user interface presents an output derived from a real-time media signal (US Cl. 345/716; see fig 1), claims 45, 46, 48, 49, 56, 86, 87, 89, 90, 97, 129, 130, 132, 133, 140, 200, 201, 203, 204, 211;

II--A substrate area of a GUI is used to support collaborative interactions between users (US Cl. 345/751; see page 13, lines 23 - 27), claims 53, 54, 57, 94, 95, 98, 137, 138, 141, 208, 209, 212;

III--A message appears within a user interface that corresponds to an advertising sponsor (US Cl. 345/717; see fig 3), claims 44, 64, 85, 105, 128, 146, 176, 177, 199, 219;

IV--Content of a particular (e.g., journalistic) origin is placed within an interface having windows (US Cl. 345/718; see page 13, lines 28 - 30), claims 50 - 52, 55, 91 - 93, 96, 134 - 136, 139, 205 - 207, 210;

V--The user interface is provided to access a networked environment such as the internet (US Cl. 345/748; see fig 2), claims 42, 43, 60, 61, 83, 84, 101, 102, 126, 127, 142, 143, 151

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- 153, 157, 168 - 174, 197, 198, 215, 216, 221 - 223, 227, 238 - 246, 248;

VI--A network-based interface (species V) also incorporates species I functionality, claims 155, 156, 158, 159, 166, 225, 226, 228, 229, 236;

VII--A species V GUI with species II's collaborative capability, claims 163, 164, 167, 233, 234, 237;

VIII--The sponsoring feature of species III is included within the species V network interface, 154, 224, 247;

IX--Species IV's content is specifically presented by the interface of species V, claims 160 - 162, 165, 230 - 232, 235.

2. Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, claims 21 - 41, 47, 58, 59, 62, 63, 65 - 82, 88, 99, 100, 103, 104, 106 - 125, 131, 144, 145, 147, 148 - 150, 175, 178 - 196, 202, 213, 214, 217, 218, 220, which concern an operator interface *per se*, are generic.

3. Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims

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readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

4. Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

5. Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

6. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raymond J.

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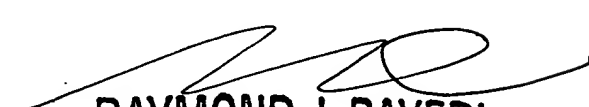
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Bayerl whose telephone number is (703) 305-9789. The examiner can normally be reached on M - F from 9:00 AM to 4:30 PM.

8. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7239 for Official submissions, (703) 746-7238 for filings after final rejection and (703) 746-7240 for non-official communications.

9. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2173

23 October 2002